

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING July 21, 2008

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: Larry G. Yoder, Chairman
William L. Hammer, Vice-Chairman
Wes Bolick
Harold M. Odom
W. Darrell Robertson

STAFF: Rick French, County Manager
Jamie Starnes, Clerk to the Board

MEDIA: Rick Gilbert, WACB Radio
Micah Henry, The Taylorsville Times

The Alexander County Board of Commissioners held a regular meeting on Monday, July 21, 2008 in the Catawba Valley Community College / Alexander Center Multipurpose Room, Taylorsville, North Carolina.

CALL TO ORDER

Chairman Yoder called the meeting to order at 6:00 PM.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Odom gave the invocation and also led the Pledge of Allegiance to the Flag.

COMMISSIONER'S REPORT

Commissioner Robertson informed the Board that the funeral for Rev. Lewis Inman, father of Dr. Joel Inman, would take place at 2:00 PM on Tuesday, July 22, 2008 at the Hiddenite Church of God. He explained that the body would lie in state 30 minutes prior to the service and that the family would receive friends immediately following.

ADOPTION OF AGENDA

Chairman Yoder requested that Agenda Item #1 (Update on Smoky Mountain / Foothills Merger) be postponed until August. He also asked that Budget Amendment #1 be added as Agenda Item #11A.

Chairman Yoder made a motion to adopt the agenda as amended. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

ALEXANDER CITIZENS FOR FAITH & FAMILY VALUES

Rev. Gary Jennings, Chairman for Citizens for Faith & Family Values, provided some statistics related to alcohol abuse, stating that alcohol was the number one drug problem in America affecting 14 million adults and 3 million teenagers. He pointed out that studies showed that 5 people were directly affected by one alcoholic and he noted that 30% of children reported being pressured by peers to drink. Rev. Jennings quoted Abraham Lincoln who said "Alcohol has a lot of defenders but no defense" as well as Proverbs 20:1 that says "Wine is a mocker, strong drink is raging, and whosoever is deceived thereby is not wise."

Rev. Jennings provided a resolution from the Citizens for Faith & Family Values expressing opposition to the manufacturing, advertising, distributing, and consuming of alcoholic beverages in any part of Alexander County as well as the Town referendum for the sale of malt and mixed beverages. He asked that the resolution be made a part of the official minutes from this meeting. He also presented petitions signed by Alexander County citizens who were opposed to the referendum and any increase of alcohol sales in the county which totaled over 4,900 signatures. Rev. Jennings felt that the large turnout at the Commissioners' Meeting held in Bethlehem on November 26, 2007 regarding alcohol sales in the Bethlehem Village Shopping Center as well as the number present tonight should show the opposition to this issue.

He thanked the Board for its efforts to oppose any attempt to further alcohol sales in the county including annexation by any governmental entity. He discussed annexation and stated that he felt it was poor public policy for any governmental entity to annex portions of a county where residents were opposed to the annexation. He stated that he had spoken to Hickory Mayor Rudy Wright who reported that the City of Hickory was not poised to annex any portion of Bethlehem and that the City Board had not discussed doing so.

Commissioner Hammer asked if Representative Ray Warren and Senator Steve Goss had been contacted regarding this matter. Rev. Jennings replied that Representative Warren and Senator Goss had been contacted and that both had assured him that there would be no special legislation introduced if the Town referendum failed. Commissioner Hammer also explained that the Board could do absolutely nothing to stop another governmental entity from annexing portions of Alexander County.

Several members of the Board thanked the group for coming and expressing their opinion on the matter.

PUBLIC COMMENT PERIOD

Several individuals were present to speak during the Public Comment Period about the location of the future jail and law enforcement center. The following comments were given:

Kathryn McCurdy stated that she was opposed to the new jail being constructed at the downtown site for the following reasons:

1. Most businesses in downtown are independently owned by residents who support local schools, government, etc. which keeps profits in town.
2. Downtown is a reflection of how the community sees itself, which is a critical factor in business retention and recruitment. Industry officials will consider the quality of life as one critical factor in determining a suitable location.
3. Downtown represents a significant portion of the community's tax base. If this declines and property values decrease, the tax burden will increase in other areas.
4. Downtown is a historic core of the community.
5. Downtown provides a sense of community and place.

She requested the Board vote to give downtown the chance to fulfill its potential.

Paul Sink, Pastor at Taylorsville Presbyterian Church, spoke on behalf of the church elders and congregation by addressing concerns with access to the church. He stated that only on-street parking was available to church members for worship services and noted that, if the jail was located downtown, those spaces would be occupied by employees on a daily basis as well as by visitors of inmates leaving no room for church members to park. He asked the Board to consider the huge impact that the downtown location would have on the church, residents, and businesses when considering the location.

Burkie Jennings, a lifelong resident of Alexander County, voiced his opposition to the downtown site, quoting "Those who do not remember the past are condemned to repeat it." He discussed a recent survey conducted by the City of Newton related to citizens' views of downtown Newton, noting that 88%, when asked what business, building, or landmark came to mind when thinking about downtown, responded the courthouse square. He felt that Alexander County citizens would not give that same answer. Mr. Jennings felt a downtown jail would be a monstrosity, especially when coupled with the current courthouse, which he stated was ugly, and he reiterated Pastor Sink's comments regarding parking for Taylorsville Presbyterian Church members. He also stated that the downtown location did not allow room for growth. Mr. Jennings closed by discussing comments made by law enforcement officials and attorneys related to the security issues involved in transporting inmates to and from

the courthouse from a remote site. He stated that remote arraignment would eliminate the need for inmates to be removed from the jail to speak to a judge or an attorney.

Elmer and Dorothy Spears, who signed up earlier to speak, were not present at the meeting.

RECOMMENDATION FOR ALEXANDER COUNTY JAIL LOCATION

Chairman Yoder began by thanking the members of the Jail Committee that included Judge Kim Taylor, Judge Dale Graham, Clerk of Court Seth Chapman, Sheriff Hayden Bentley, Attorney Robert Campbell, County Manager Rick French, Commissioners Darrell Robertson and William Hammer, and the late Bob Phillips, Town Commissioner, who was recently replaced by Jack Lerner. He reported that on June 30, 2008, the Jail Committee recommended by majority vote that the location of the new jail facility be decided by the Board of Commissioners. He pointed out that the size of the facility would not be voted on at this time.

Chairman Yoder reviewed correspondence relating to the jail which was received after the agenda packets were completed including a letter from the Alexander County Chamber of Commerce Board of Directors in support of the remote site, an email from County Attorney Robert Campbell urging the consideration of the downtown site, a letter from Clerk of Court Seth Chapman in favor of the downtown site, and a second letter from Judge Michael Beale.

Commissioner Odom stated that he was in favor of the remote site for the following reasons:

1. Constructing the jail facility at the remote site will be approximately \$1 million cheaper than at the downtown site.
2. Parking spaces downtown will be lost and employees will be forced to park in spaces allotted for citizens and customers of local businesses. Commissioner Odom stated that he did a survey of local businesses, noting that business owners did not want the jail located downtown.
3. There will not be adequate room at the downtown location to expand the facility when needed.
4. Commissioner Odom stated that he surveyed many citizens and that the overwhelming majority of them did not want the jail at the downtown site.

Commissioner Hammer stated that he was also in favor of the remote site for the following reasons:

1. The jail will hurt the looks of downtown Taylorsville.
2. Approximately 75 parking spaces will be lost at the downtown location.
3. The remote site provides plenty of room for future expansion.

4. Construction the jail at the remote site will cost the taxpayers \$1 million less. Commissioner Hammer also mentioned that 21 offices would have to be relocated out of the Dayton property if the downtown site was chosen, estimated at another \$500,000.

Commissioner Hammer stated that he had spoken to many citizens about the location of the jail and less than 10 had favored the downtown site.

Commissioner Robertson began by stating that he had a lot of respect for the input of the Jail Committee members who preferred the downtown site; however, he felt that the remote site would be the best option for the taxpayers. He mentioned that the Dayton property had been purchased primarily for expansion of the courthouse and jail but noted that the expansion possibilities at the remote site carried a lot of weight. Commissioner Robertson discussed the costs of the new jail, reiterating County Manager Rick French's analysis at the last meeting regarding the impact to taxpayers when comparing a \$10 million jail to a \$13 million jail and he felt that it would benefit the taxpayers to construct a jail that could be expanded in the future instead of building at the downtown site and having to relocate it later.

Commissioner Bolick mentioned that the Board had held two public hearings on the size and location of the jail and that very few citizens showed up to speak; therefore, he made phone calls for a week to get citizen input. He reported that 99% of the citizens that he spoke with did not want the jail constructed at the downtown site. He also stated that the County had used the Dayton property as collateral for purchase of 100 acres for the state prison, noting that the remaining loan totaling \$200,000 would have to be paid off before any construction or demolition could take place at the Dayton property. Commissioner Bolick agreed with his fellow commissioners that the remote site was the better location, especially since the County already owned the property.

Commissioner Odom made a motion that the jail facility be constructed at the remote site. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC HEARING: NCDOT 2008-2009 SECONDARY ROAD CONSTRUCTION PROGRAM

Patrick Norman, Division 12 District 2 Engineer, presented the 2008-2009 Secondary Road Construction Program for Alexander County and discussed the program allocations, which included the following:

*** FY 2008-2009 Anticipated Allocation**

Highway Fund (G.S. 136-44.5b) - \$542,223.22 for paved road improvements
Highway Fund (G.S. 136-44.5c) - \$234,543.78 for unpaved roads
Trust Fund - \$1,199,472.37 for unpaved roads

Total - \$1,976,239.37

*** Rural Paving Priority**

Priority No.	SR No.	Length (Miles)	Road Name & Description	Est. Cost
Hold List	SR1336	1.57	Moore Mountain Road from NC 16 to Wilkes County line	\$1,230,983.85 (partial funding)

*** Rural Paving Alternatives**

Priority No.	SR No.	Length (Miles)	Road Name & Description	Est. Cost
1F	SR1458	1.52	Ramie Mitchell Road from SR1460 to SR1001	\$760,000.00
2F	SR1310	1.10	Robinette Road from SR1334 to SR1311	\$750,000.00
3F	SR1314	1.10	Oxford School Road from SR1315 to SR1313	\$550,000.00
4F	SR1305	0.90	Lambert Fork Road from end of pavement to SR1307	\$650,000.00
5F	SR1311	0.45	Gill Childers Road from end of pavement to SR1310	\$250,000.00
6F	SR1308	1.50	Walt Russell Road from SR1311 to SR1307	\$800,000.00

*** Paved Road Improvements**

SR No.	Project Description	Est. Cost
SR1124	Widen 1 foot on each side of Church Road from SR1137 to SR1150	\$542,223.22

*** Various spot stabilization and secondary maintenance - \$150,000.00**

*** Funds reserved for surveying, right-of-way acquisition, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc. - \$53,032.30**

Mr. Norman stated that the Secondary Road Construction Program did not include any funding for paving of subdivisions.

Chairman Yoder called the public hearing to order and requested any public comment.

Public Comment

Frank Minyard asked if improvements could be made at Starnes Circle Drive and Rink Dam Road to make the intersection safer. He explained that accidents often

occurred at the intersection because it was hard to see oncoming traffic when exiting from Starnes Circle Drive.

Mr. Norman replied that NCDOT staff could look at traffic calming measures for the intersection.

There being no further public comment, Commissioner Robertson made a motion to close the public hearing. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Robertson made a motion to approve the 2008-2009 Secondary Road Construction Program as presented. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

Mr. Norman stated that he had received a letter requesting an update on several issues related to the NCDOT and road projects. He gave the following updates:

1. **Turning lanes at Sugar Loaf Elementary School** – Funding has been secured and crews are ready to begin construction. Staff is waiting on the school system to make a decision regarding driveway placement.
2. **Further widening and curbing of Sulphur Springs Road from Highway 90 to Church Road** – Sulphur Springs Road is on the project list but funding will have to be appropriated at approximately \$1 million for right-of-way acquisition, utilities relocation, etc.
3. **Stoplight at NC 90 / Old Mountain Road intersection** – The signal will be installed as soon as paving and striping is completed.
4. **Closing of railroad crossings in Stony Point** – Mr. Norman distributed a timeline of railroad crossing improvements and closings to the Board.
5. **Problems with US 64 being so rough** – The contract to repave US 64 is scheduled to be let next spring and construction will begin next summer.
6. **Widening and turning lane on Highway 16 South at Oxford Dam** – Chairman Yoder suggested northbound and southbound turning lanes on Highway 16 South at Oxford Bridge to alleviate accidents. Mr. Norman stated that staff could check travel volume and accident history to determine feasibility.
7. **Highway 127 Bridge** – A \$360,000 contract has just been let for major rehabilitation work to be done to the bridge; however, there are no plans for a new bridge. Mr. Norman explained that the deficiency rate must be below 50% for a new bridge to be considered, noting that the rate for the Highway 127 was currently above 50%, which would be improved as repairs were made.

8. **Three-lane from Richey Road to EMS Base on Highway 127** – NCDOT is in the process of acquiring funds for this project; however, there has not been a date set for when this project would begin.
9. **NC Moving Ahead Money** – The NC Moving Ahead Program is finished and there is no more funding available. There are a few outstanding projects being completed.
10. **Causes of most accidents in county** – Approximately 80% of accidents are caused by lane departure – either running off the road and hitting an object or overcorrecting and hitting oncoming traffic.

Chairman Yoder inquired about bicycle routes in the county. Mr. Norman stated that NCDOT did not install bicycle route but tried to widen roads enough to allow for them if enough funding was available.

Commissioner Hammer discussed the need for more warning signs on Alspaugh Dam Road. He mentioned the recent bus accident and stated that it was difficult for drivers to see oncoming traffic in the sharp curve.

Chairman Yoder mentioned the continued paving and widening of Highway 16 South since the road was a direct route to Hickory for EMS crews. He also asked if a right turning lane could be considered on Boston Road due to the amount of traffic entering Highway 64.

Mr. Norman announced that NCDOT crews would begin paving Highway 16 South at Oxford Dam tomorrow. Paving will continue north past the old Wittenburg Elementary School.

The Board thanked Mr. Norman and Mr. Gurley for attending the meeting and addressing these issues. Chairman Yoder also commended NCDOT staff for working with the water and sewer crews in the Hiddenite area.

PUBLIC HEARING: FY 2008-2009 RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT APPLICATION

Patti Foster, WPRTA Safety Manager, presented the 2008-2009 Rural Operating Assistance Program (ROAP) grant application for the Board's consideration. She explained that these grant funds would provide additional transportation beyond other funding sources and levels of service for the Elderly & Disabled Transportation Assistance Program (EDTAP), the Rural General Public (RGP), and the Work First/Employment Program. She also noted that County Boards of Commissioners were the only eligible applicants for these funds.

Ms. Foster stated that the 2008-2009 grant application totaled \$153,052 of which would be broken down as follows:

EDTAP Formula - \$44,684
EDTAP Supplemental - \$26,236
EDTAP Total - \$70,920

RGP Formula - \$46,785
RGP Supplemental - \$24,536
RGP Total - \$71,321

Employment Formula - \$6,007
Employment Supplemental - \$4,804
Work First / Employment Total - \$10,811

She recommended that the Board designate the Western Piedmont Regional Transit Authority as the recipient of the EDTAP and RGP funds and Alexander County DSS as the recipient for the Work First / Employment funds.

Chairman Yoder called the public hearing to order and requested any public comment. There being no public comment, Commissioner Bolick made a motion to close the public hearing. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Bolick made a motion to approve the 2008-2009 grant application as presented and designate WPRTA and Alexander DSS as recipients as recommended. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

NC RURAL CENTER SUPPLEMENTAL GRANT WATER FUNDS RESOLUTION

Rick French, County Manager, informed the Board that Alexander County was eligible for an additional \$500,000 from the NC Rural Center for the Northeast Water Project. He presented a resolution authorizing the application to the NC Rural Center Supplemental Grant Water Funds to be considered by the Board.

He explained that this funding would allow additional water lines to be extended along Jud Smith Road and Vashti Road to Highway 16 North.

Commissioner Robertson made a motion to approve the resolution authorizing the application to the NC Rural Center. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

DESIGNATION OF VOTING DELEGATE FOR NCACC ANNUAL CONFERENCE

Chairman Yoder requested nominations for a voting delegate for the NCACC Annual Conference to be held in New Bern, NC in August.

Commissioner Odom made a motion to nominate Commissioner Bolick as the voting delegate for the NCACC Conference. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

NORTHEAST WATER PROJECT UPDATE

Rick French, County Manager, provided photos of work being done on Sulphur Springs Road. He explained that NCDOT had asked that crews complete work on Sulphur Springs Road so that the road could be paved after water lines were installed. Mr. French stated that crews would return to Allen Road once Sulphur Springs Road was completed.

HIDDENITE SEWER PROJECT UPDATE

Rick French, County Manager, stated that crews were currently boring at the intersection of Church Road and Highway 90. He explained that the project was currently running behind schedule but that the engineers had assured him that they would meet the deadline. He also noted that NCDOT was working with County staff and crews.

OTHER BUSINESS

Rick French, County Manager, discussed the following issues during Other Business:

- A. Phalbe Henrikson has accepted the Library Director position. Ms. Henrikson, who comes to us from Florida, began today.
- B. United Way is planning a "United Way Goes to the Dogs" at Matheson Park on August 2, 2008. The pet lover's event will begin at 10:00 AM.
- C. The Alexander County School System "Opening Session" will be held on August 20, 2008 at 8:30 AM at Alexander Central High School.
- D. The GIS Mapbook has been featured in the ArcNews Magazine and has received great reviews.

BUDGET AMENDMENT #1

Rick French, County Manager, presented Budget Amendment #1 to increase the DARE budget for the purchase of a golf cart to be used in teaching children about impaired driving.

Commissioner Robertson made a motion to approve Budget Amendment #1. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

CONSENT AGENDA

- A. Tax Release Requests for June \$2,700.20 and Tax Refund Requests for June \$975.32.
- B. Minutes from the June 16, 2008 and June 23, 2008 Regular Commissioners' Meetings.

Commissioner Hammer made a motion to approve the Consent Agenda. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

CLOSED SESSION – N.C.G.S. 143-318.11(a)(1, 4, 5, & 6) TO PREVENT THE DISCLOSURE OF CONFIDENTIAL INFORMATION, ECONOMIC DEVELOPMENT, CONTRACTUAL, & PERSONNEL

Chairman Yoder made a motion to enter into Closed Session at 7:50 PM to prevent the disclosure of confidential information and to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(1, 4, 5, & 6). Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

There being no further business, Commissioner Hammer made a motion to adjourn at 8:23 PM. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

Larry G. Yoder, Chairman
Board

Jamie M. Starnes, Clerk to the